REMARKS

In response to the above Office Action, claim 1 has been amended to recite that the "activated catalyst component including the polymerisation catalyst (a) and the ionic activator (b) is first prepared, dried and then the organometallic compound (c) is premixed with said dried activated catalyst component before the resulting mixture is added to the reactor." Emphasis added. Support for this amendment to claim 1 can be found in Example 1 at page 13, lines 12-14.

In the Office Action the Examiner rejected claims 1-3, 5, 7, 8, and 11-15 (sic 11-14) under 35 U.S.C. §102(b) for being anticipated by Jacobsen. In the Examiner's opinion the claims still read on Example 29 of the reference.

In Example 29 of Jacobsen an activated catalyst in the form of a slurry of silica, TEA activator and catalyst is prepared "followed by" the addition of MMAO "and the mixture was stirred for one hour to yield a . . . supported catalyst" column 36, lines 37-39 of Jacobsen. (Emphasis added). Thus it is clear from this that in Jacobsen, the MMAO may be added separately, but it is added to a slurry of the activated catalyst component.

In contrast, in the present invention, the activated catalyst component is first "dried" before the claimed organometallic compound is mixed with it. This, as discussed in Example 1, allows the dried and activated catalyst component to be stored for subsequent use in a polymerization reaction.

Accordingly, it is believed neither claim 1 nor claims 2, 3, 5, 7, 8, and 11-14 dependent therefrom can be considered to be anticipated by Jacobsen. Its withdrawal as a ground of rejection of these claims under §102(b) is therefore requested.

The Examiner also rejected claim 4, dependent from claim 1, under 35 U.S.C. §103(a) for being obvious over Jacobsen in view of Resconi. However, Resconi fails to teach what is lacking in Jacobsen as discussed above, so it is believed claim 4 is patentable over the cited references for the same reasons claim 1 is patentable over Jacobsen.

Claims 16-28 were rejected under 35 U.S.C. §112 and claims 16-18, 20 and 22-28 were rejected under 35 U.S.C. §103(a) for being obvious over Jacobsen. All of these claims have been cancelled, so these grounds of rejection are now moot.

It is believed that all grounds of rejection have been met and that claims 1-8 and 11-14, all of the claims remaining in this case, are now in condition for allowance.

In view of the foregoing amendments and remarks, applicants respectfully request reconsideration and reexamination of this application and the timely allowance of the pending claims.

Please grant any extensions of time required to enter this response and charge any additional required fees to our Deposit Account 06-0916.

Respectfully submitted,

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